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DOC #: _____
DATE FILED: 9/19/2013
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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CONCORD ASSOCIATES, L.P.
CONCORD RACEWAY CORPORATION,
CONCORD KIAMESHA CASINO, LLC,
CONCORD RESORT, LLC,
CONCORD KIAMESHA, LLC, and
CONCORD KIAMESHA HOTEL, LLC,,

                     Plaintiffs,

         -against-

ENTERTAINMENT PROPERTIES TRUST,
EPT CONCORD, LLC, EPT CONCORD II, LLC,
EMPIRE RESORTS, INC., MONTICELLO
RACEWAY MANAGEMENT, INC., KIEN
HUAT REALTY III LIMITED, GENTING NEW
YORK LLC, and JOHN DOES 1 TO 5,A

                     Defendants.
---X

12 **CIVIL** 1667 (ER)

JUDGMENT

Currently pending before the Court are two motions to dismiss the Amended Complaint, one

filed by Defendants Empire Resorts Inc., Monticello Raceway Management, Inc., Entertainment

Properties Trust, EPT Concord, LLC, and EPT Concord II, LLC, and the other filed by Defendants

Kien Kuat Realty III Limited and Genting New York, LLC, who also join in the first motion, and

the matter having come before the Honorable Edgardo Ramos, United States District Judge, and the

Court, on September 18, 2013, having rendered its Order granting both motion for the reasons in the

Opinion and Order filed September 18, 2013 under seal, granting Plaintiffs' antitrust claims with

prejudice, and declining to exercise supplemental jurisdiction over Plaintiffs' state law claims, and

therefore dismissing those claims without prejudice, it is,

      ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the

Court's Order dated September 18, 2013, and the Opinion and Order filed September 18, 2013 under

seal, both motions are granted and Plaintiffs' antitrust claims are dismissed with prejudice; the Court
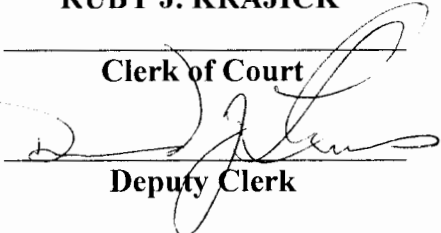
declines to exercise supplemental jurisdiction over Plaintiffs' state law claims and therefore those

claims are dismissed without prejudice; accordingly, the case is closed.

Dated: New York, New York
            September 19, 2013

                                          RUBY J. KRAJICK

                                   _____
                                          Clerk of Court
                              BY:
                                   _____
                                          Deputy Clerk

                                   THIS DOCUMENT WAS ENTERED
                                   ON THE DOCKET ON _____